

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joshua Thomas Warren,

Civil No. 18-2850 (DWF/ECW)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Michelle Renee Kovacs and
Thomas Andrew Kovacs,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated October 24, 2018. (Doc. No. 6.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. The Court notes that the Magistrate Judge recommended that this case be dismissed at an early juncture because the Court lacks jurisdiction pursuant to 28 U.S.C. 1332(a). A Court is always required to screen cases for jurisdiction. Additionally, pursuant to 28 U.S.C. 1915(e)(2)(B), the Court is required to closely screen cases where, as here, there is an application to proceed in forma pauperis (“IFP”). A litigant shall not be allowed to proceed IFP for a variety of reasons such as, if the claims presented are frivolous or malicious, if the complaint fails to state a claim, or if the court lacks jurisdiction. Because the Court determines that it lacks jurisdiction, the Court also finds it appropriate to deny Plaintiff’s request to proceed IFP.

Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Elizabeth Cowan Wright's October 24, 2018 Report and Recommendation (Doc. No. [6]) is **ADOPTED**.
2. This case is **DISMISSED WITHOUT PREJUDICE** for lack of diversity jurisdiction pursuant to 28 U.S.C. § 1332(a).
3. Plaintiff's Application to Proceed IFP (Doc. No. [3]) is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 27, 2018

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge